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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,847	01/26/2004	Akira Onikubo	KIN97USA	9789

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EXAMINER

HUG, ERIC J

ART UNIT	PAPER NUMBER
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1731

DATE MAILED: 04/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/764,847	Applicant(s) ONIKUBO ET AL	
	Examiner Eric Hug	Art Unit 1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004 and 02 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 8-15 is/are rejected.
- 7) ☒ Claim(s) 5-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 2, and 10-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Best (US 6,811,849). Best discloses a textile covered web suitable for use as a press felt in the pressing section of a papermaking machine. The web can comprise one or more support bases. FIG. 8 illustrates a support base layer made from monofilament threads knitted into a three-dimensional structure. Both sides of the support base have a layer of needle-punched spunbond tissue (column 2, line 62 to column 3, line 3). Thus, the knitted fabric layer is at a distance from both the paper contacting surface and the machine contacting surface. The spunbond fibers may include heat-bonding adhesive fibers. The support base may include several support base layers comprising the knitted fabric, woven fabrics, or reinforced spunbonded tissues in one or several layers, either alone or in combination with one another (column 3, lines 4-8). The fabric may be made by spiral winding a strip of fabric smaller than the width of the entire fabric (Figure 1), or be made of individual pieces positioned adjacent to one another, such that they extend in a lengthwise direction (column 5, lines 36-40).

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2. Claims 1-4, 9, and 11-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Hauer (US 6,479,414). Hauer discloses a textile machine felt comprising an elastic knit fabric (3). The felt has a ground textile layer (1) as the base body, a felt layer (2) and knit fabric (3) overlying the ground textile, and a covering layer (4) applied on top of the knit fabric layer. The knit layer can be made from polyester monofilament fibers. The arrangement of the layers is such that the knit layer is between the paper and machine contacting layers, and on the paper contacting surface relative to the ground textile layer 1, which serves as the base body. Also, in the arrangement the felt layer 2 is provided between the knit layer and ground textile layer. The layers are needled together. The knit layer may be made in the form of a warp knitted sleeve, flat or circular article, or in wound form (column 2, lines 33-42).

3. Claims 1 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Dufour (US 4,856,562). Dufour discloses a papermaking felt incorporating a middle layer of compressible knit yarns (16). The knit yarns provide resistance to crushing. The felt also has a woven fabric, a layer of cabled yarns, and a layer of batt fiber. See particularly Figures 4 and 5. The knit yarns are monofilaments (column 2, lines 31-35). The layer of knit yarns is interwoven with the woven fabric, thus is in contact with the woven fabric.

4. Claims 1-4, 8, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Penven (FR 2 727 442). Penven discloses a blanket for the wet section of a papermaking machine having a woven base (1), a superimposed knitted layer (4) covered by a non-woven layer (7),

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with needle bonding to hold the layers together. The knitted layer (4) is a three-dimensional structure with two parallel knitted surfaces (41, 42) parallel to the base layer (1). The surfaces (41, 42) are joined by yarns (43) at right angles to them. Figures 1-3 show embodiments whereby the knitted layer is in contact with the base layer and on the paper side of the base layer. The fibers used in the knitted layer can be monofilaments (page 6, lines 27-30).

Note: An English language abstract of this reference is being provided with this office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Best (US 6,811,849). Best (described above) discloses a textile covered web suitable for use as a press felt in the pressing section of a papermaking machine. The web can comprise one or more support bases. FIG. 8 illustrates a support base layer made from threads knitted into a three-dimensional structure. Both sides of the support base have a layer of needle-punched spunbond tissue (column 2, line 62 to column 3, line 3). The knitted fabric layer is at a distance from both the paper contacting surface and the machine contacting surface. The support base may include several support base layers comprising the knitted fabric, woven fabrics, or reinforced spunbonded tissues in one or several layers, either alone or in combination with one another (column 3, lines 4-8).

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Although Best does not expressly disclose that a knitted fabric and base body are in contact, the combinations disclosed by Best suggests to one skilled in the art that the combination of base materials must be in contact with one another, particularly because there is no intervening material between support bases, nor is there any other material except for the needle-punched spunbond tissue on the paper and machine contacting surfaces.

Allowable Subject Matter

Claims 5-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claims 5-7 are allowable, because the claimed arrangements of base body and knit layer are not disclosed or suggested by the prior art.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Halker et al (US 4,761,329) discloses a paper machine felt having at least one knit ply.

Penven (US 4,806,413) discloses a felt with a thermoplastic scrim and fibrous batt adhesively bonded thereto.

Quigley (US 5,945,357) discloses a papermaking fabric having an upper layer comprising knit yarns.

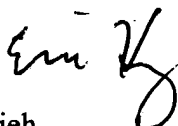
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Lydon et al (US 6,648,147) discloses a phase-separation member suitable as a press felt, which may include a knitted base layer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192. The examiner can normally be reached on Monday through Friday, 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


jeh